

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

CNS INTERNATIONAL)	
MINISTRIES, INC.,)	
Plaintiff,)	
v.)	Case No. 2:21-cv-00065
ROBERT KNODELL,)	
Defendant.)	
)	
)	

AFFIDAVIT OF JOYCE LUEBBERING

Joyce Luebbering, being duly sworn, states that she is employed by the Missouri Department of Social Services and has personal knowledge of the facts set forth herein.

1. I have been employed by the Missouri Department of Social Services (DSS), Division of Legal Services since 2023.

2. As part of my duties, I file and maintain regulations for the Department of Social Services.

3. As part of my duties, I am familiar with the filing of the regulations 13 CSR 35-71.015 and 13 CSR 35-71.300.

4. Proposed amended regulation 13 CSR 35-71.015 and 13 CSR 35-71.300 were filed with the Joint Committee on Administrative Rules and with the Missouri Secretary of State on April 23, 2024.

5. Proposed amended regulations 13 CSR 35-71.015 and 13 CSR 35-71.300 were published for public comment June 3, 2024, through July 3, 2024.

6. DSS filed its final order of rulemaking for proposed amended regulation 13 CSR 35-71.300 with the Joint Committee on Administrative Rules on July 15, 2024, and anticipates filing with the Secretary of State on August 14, 2024, with an anticipated effective date of October 30, 2024. DSS anticipates filing its final order of rulemaking for proposed amended regulation 13 CSR 35-71.015 with the Joint Committee on Administrative Rules by August 15, 2024, and with the Missouri Secretary of State by September 15, 2024, to be published in the September 30, 2024, Missouri Register, making 13 CSR 35-71.015 effective November 30, 2024.

7. DSS also anticipates filing a new emergency amendment and proposed amendment to regulation 13 CSR 35-71.015 on or before November 1, 2024. That new emergency amendment to 13 CSR 35-71.015 will ensure that the administrative review procedure contained in the version of 13 CSR 35-71.015 currently in effect, see 13 CSR 35-71.015(12)(B), will remain available to a ‘person who is aggrieved by a decision of the division under’ 35-71.015, see 35-71.015(12)(A); see 35-71.015(12)(B), (D)2. This is to ensure that all rights under chapter 536 of the Missouri Revised Statutes provided to any person or entity aggrieved by DSS’s process remains intact as currently provided under 13 CSR 35-71.015 as effective December 30, 2023.

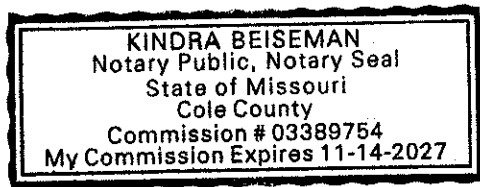
8. The emergency amendment to 13 CSR 35-71.015 will supersede the proposed amendment to 13 CSR 35-71.015 that was attached to Defendant's June 5, 2024, Status Report (see Ct. Doc. 120-1), and that emergency amendment will become effective November 18, 2024. Thus, the administrative review procedure in 13 CSR 35-71.015(12) as effective December 30, 2023, will remain available to a 'person who is aggrieved by a decision of the division under' 35-71.015, with the right to seek judicial review as provided in Mo. Rev. Stat. §536.150."

FURTHER AFFIANT SAYETH NOT.

BY: Joyce Luebbering
JOYCE LUEBBERING

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

Subscribed to and sworn before me, a Notary Public, within and for the
County and State of aforesaid on this 5th day of August 2024.



Kindra Beiseman

NOTARY PUBLIC